

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

JAMES GLEN

Plaintiff,

V.

CIVIL ACTION NO

W.C. FRENCH

THE LAW OFFICES OF W.C. FRENCH

Defendant.

AUGUST 5, 2010

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.
2. The Court's jurisdiction is conferred by 15 U.S.C.1692k and 28 U.S.C. 1331 and 1367.
3. Plaintiff is a natural person who resides in Edgewater, MD.
4. Plaintiff is a consumer within the FDCPA.
5. Defendant is a debt collector within the FDCPA.
6. Defendant is a collector within the MCDCA.
7. Defendant is a law firm and foreign business entity engaged in the business of collecting debts in the State of Maryland with a principal place of business located

in 908 Town & Country Blvd, ste 230, Houston, TX 77024.

8. The principal purpose of Defendant business is the collection of debts and Defendant regularly attempts to collect debts alleged to be due another.

9. Defendant communicated with Plaintiff via letter dated January 12, 2010 in connection with collection efforts with regard to Plaintiff's disputed personal debt.

11. The Defendant advised the Plaintiff in their initial collection letter dated January 12, 2010 "notwithstanding the 30 days to notify us you dispute the debt, if you do not contact us on or before seven (7) days from the date of this letter, we shall assume you do not have any desire to settle this account and may recommend litigation."

12. The Defendants statement in paragraph 11 is false, deceptive and misleading in violation of §1692e.

12. The Defendants statement in paragraph 11 overshadows the Validation of Debts Clause pursuant to §1692g and violates the FDCPA.

13. In the collection efforts, the Defendant violated the FDCPA; inter alia, section 1692e, f and g.

SECOND COUNT:

14. The allegations of the First Count are repeated and realleged as if fully set forth herein.

15. Within three years prior to the date of this action Defendant has engaged in acts and practices as to Plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. ("MCDCA").

16. Defendant has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

WHEREFORE Plaintiff respectfully requests this Court to:

1. Award Plaintiff statutory damages pursuant to the FDCPA.
2. Award Plaintiff statutory damages pursuant to MDCDCA.
3. Award Plaintiff costs of suit and a reasonable attorney's fee.
4. Award such other and further relief as this Court may see fit.

THE PLAINTIFF

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